IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

And
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 1155 of 2005

Between:

P.V. Seetharama Raju, S/o. Gani Raju, Retired Forest Range Officer,
R/o. Korangi P.O., Tallarevu Mandal, East Godavari District.

..... PETITIONER

AND

1 Principal Chief Conservator of Forests, Government of Andhra Pradesh, Hyderabad.
2 State of Andhra Pradesh, Represented by Secretary, Environment, Forests, Science & Technology Department, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any writ order or direction particularly one in the nature of MANDAMUS declaring the Order dated 19-08-2004 in O.A.No. 5576 of 2000 on the file of the Honourable A.P. Administrative Tribunal, Hyderabad Bench as illegal, arbitrary, unconstitutional, contrary to the then existing provisions of Fundamental Rules 54-B and by nullifying the same direct the respondents to treat the suspension period from 15-10-1987 to 30-10-1991 as the period spent duly with a further direction to pay full pay and allowance for the said period together with all consequential and attendant benefits and pass such other relief or reliefs.

Counsel for the Petitioner: DR.P.B.VIJAY KUMAR

Counsel for the Respondents: GP FOR SERVICES I

The Court at the stage of admission made the following:

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ORAL ORDER: (per GB.J.)

The Writ Petition is filed challenging the order passed by A.P. Administrative Tribunal (for short Tribunal) in O.A.No.5576 of 2000, dated 19.8.2004.

2. The matter relates to regularization of period of suspension from 15.10.1987 to 30.10.1991.

3. The only contention raised by the learned counsel for the petitioner is that when a charge sheet was issued for major penalty and the petitioner was imposed with a minor penalty, after enquiry, the period of suspension should be treated as on duty with full pay and allowances.

4. Obviously this contention was raised keeping in view the G.O. issued by the Government in G.O.Ms.No.182, dated 31.10.1992, but the above orders apply only to the suspensions made after 31.10.1992 and not prior to that. Under those circumstances, we do not find any ground to interfere with the order passed by the Tribunal.

5. Accordingly the Writ Petition is dismissed at the admission stage. No costs.

(G.BIKSHAPATHY, J.)

21st February, 2005.

(P.S.NARAYANA, J.)

SSR

To

1 Principal Chief Conservator of Forests, Government of Andhra Pradesh, Hyderabad.
2 State of Andhra Pradesh, Represented by Secretary, Environment, Forests, Science & Technology Department, Secretariat, Hyderabad.

3 The Registrar, A.P. Administrative Tribunal, Hyderabad.

4 2 CCs to G.P. for Services-I, High Court of A.P. Hyderabad. (OUT)

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